

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

Request for Modifying the Conditions or Term of Supervision without Consent of the Offender

Name of Offender: Derrick T Peoples

Case Number: 1:03CR00165-01

Name of Sentencing Judicial Officer: The Honorable Gordon J. Quist
U.S. District Judge

Date of Original Sentence: October 28, 2004

Original Offense: Count 1: Felon in Possession of a Firearm, 18 U.S.C. §922(g)(1);

Count 2: Possession With Intent to Distribute 20 Grams or More of Cocaine Base,
21 U.S.C. §§ 841(a)(1), 841(b)(1)(B)(iii), and 851(a);

Count 3: Failure to Appear, 18 U.S.C. § 3146(a)(1)

Original Sentence: 120 months custody on Count 1- and 180-months custody on Count Two, to be served concurrently; and 41 months custody on Count 3, to be served consecutive to Counts 1 and 2 for total of 300 months. 8 years supervised release on Count 2 and 3 years supervised release on Counts 1 and 3, to run concurrently. Special Conditions: (1) financial disclosure; (2) no new credit without permission; (3) substance abuse testing and treatment; (4) no alcoholic beverages; (5) mental health treatment. Special Assessment, \$300.00 (paid). Fine, \$5,000.00 (balance: \$3,630.97).

Type of Supervision: Supervised Release

Date Supervision Commenced: October 31, 2019
Expiration Date: October 30, 2023

PETITIONING THE COURT

To modify the conditions of supervision by removing Special Condition Number 5:

5. The defendant shall participate in a program of mental health treatment, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer, and shall pay at least a portion of the cost according to his ability as determined by the probation officer.

CAUSE

Mr. Peoples commenced supervised release on October 31, 2019. He has maintained stable employment and a stable residence while on supervised release and has been compliant with his conditions of supervision. Mr. Peoples has no documented history of mental health issues and has not exhibited any necessity of mental health treatment while incarcerated in the Bureau or Prisons (BOP) or while on

supervised release. He has also denied a need for any treatment services. For these reasons, it is respectfully recommended the terms of supervised release be modified to remove Special Condition Number 5.

Previous Violations

None.

U.S. Probation Officer Action:

A Probation Form 49, Waiver of Hearing to Modify Conditions of Probation/Supervised Release, was not signed as the proposed modification is less restrictive to Mr. Peoples.

Approved,

Respectfully submitted,

by /s/ Scott M. Lopofsky
Scott M. Lopofsky
Supervisory U.S. Probation Officer
Date: April 2, 2020

by /s/ Thomas W. Mize
Thomas W. Mize
U.S. Probation Officer
Date: April 2, 2020

THE COURT ORDERS:

- ☐ No Action
☒ The Modification of Conditions as Noted Above
☐ Other

/s/ Gordon J. Quist
The Honorable Gordon J. Quist
U.S. District Judge

April 8, 2020
Date